



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 10-050

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated September 2008.]

2. Form, Style and Placement in Administrative Code

a. Since s. NR 400.02 (123e) and (123s), as renumbered by this rule, define PM_{2.5} and PM₁₀, the first clause of definitions should simply use those terms, rather than paraphrasing the definitions of those terms. For example, s. NR 400.02 (123m) should read: ““PM_{2.5} emissions” means PM_{2.5} emitted into the ambient air....”

b. The revision to the second sentence of s. NR 405.02 (25k) (intro.) is appropriate. However, the sentence is a substantive provision that does not belong in a definition. So, this provision could be further improved by moving this sentence to the substantive provision of the rule to which it pertains and restating it in the active voice, something like the following: “An owner or operator may not create creditable emissions reductions from....”

c. In SECTION 10, the treatment clause refers to sub. (1), while the text refers to sub. (10).

5. Clarity, Grammar, Punctuation and Use of Plain Language

In the treatment of s. NR 406.04 (1) (n), in addition to replacing the word “friable” with the word “regulated,” the rule should replace “asbestos containing” with “asbestos-containing,” as is used in the definition of the term, i.e., “friable asbestos-containing regulated asbestos-containing material.”